



1PCW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Masayoshi IWASE, *et al.* Confirmation No.
2758
Application No: 10/730,017
Filed: December 9, 2003
Group Art Unit: 1745
Examiner: Julian A. MERCADO
For: FUEL CELL AND SEPARATOR FOR THE SAME

INFORMATION DISCLOSURE STATEMENT

MAIL STOP - AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). The paragraphs marked below are applicable. It is believed that no fees other than those indicated below are due, but authorization is hereby given to charge any additional fees due, or to credit any overpayment, to deposit account 11-0600.

☒ 1. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a final action, Notice of Allowance, or any action that otherwise closes prosecution.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

☒ c. Please debit Deposit Account No. 11-0600 in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p) to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached. 37 CFR §1.97(c)(2).

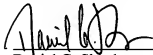
☒ 3. The references were cited in a corresponding foreign application. English translations of the Japanese Office Actions are attached for the Examiner's information.

☒ 4. English-language Abstracts of the non-English language references are attached hereto.

Respectfully submitted,

Dated: September 12, 2007

By:



Daniel G. Shanley
Reg. No. 54,863

KENYON & KENYON LLP
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
Tel: (202) 220-4200
Fax: (202) 220-4201



Substitute for form 1449A/P

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/730,017
Filing Date	December 9, 2003
First Named Inventor	Masayoshi Iwase
Group Art Unit	1745
Examiner Name	Julian A. MERCADO
Attorney Docket Number	10517/210

U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. 1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	1	US-4,743,518 (corresponding to JP 63- 228571 A)	05-10-1988	Romanowski	
		US-			
		US-			

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials *	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	2	English Translation of Japanese Office Action, Applo. No. 365128, dated July 31, 2007
	3	English Translation of Japanese Office Action, Applo. No. 365128, dated June 6, 2006
	4	English Translation of Japanese Office Action, Applo. No. 100453, dated April 3, 2007
	5	English Translation of Japanese Office Action, Applo. No. 100453, dated December 5, 2006

FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. 1	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
	6	JP 57021075	02-03-1982	Hitachi Ltd		x
	7	JP 57208077	12-21-1982	Hitachi Ltd		x
	8	JP 57136783	08-27-1982	Hitachi Ltd et al.		x
	9	JP 63-228571 A (corresponding to USP 4,753,518)	09-22-1988			
	10	JP 56 133673 U	03-12-1955			
	11	JP 1246767	10-02-1989	Fuji Electric Co Ltd.		x
	12	JP 10-241709	09-11-1998			
	13	JP 58005976	01-13-1983	Kogyo Gijutsuin		x
	14	JP 6267559	09-22-1994	Tokyo Shibaura Electric Co		x
	15	JP 58030074	02-22-1983	Hitachi Ltd		x
	16	JP 62090871	04-25-1987	Hitachi Ltd		x
	17	JP 3219563	09-26-1991	Fuji Electric Co Ltd		x
	18	JP 5159790	06-25-1993	Tokyo Gas Co Ltd		x

Examiner
Signature

/Julian Mercado/

Date
Considered

11/06/2008

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 809. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.